

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

SUPPLEMENTAL ORDER REGARDING
ELECTIONS, UNIT: SGU-VP6
(herein "Subject Drilling Unit")

DOCKET NUMBER VGOB-92/07/21-0244

REPORT OF BOARD

FINDINGS AND ORDER

1. This Supplemental Order is entered by the Board sua sponte in the form authorized by the Board at its hearing held at 9:00 a.m. on October 20, 1992, Board of Supervisors Room, Courthouse, Grundy, Virginia, and pursuant to authority granted to the Board's Chairman at the hearing of the Virginia Gas and Oil Board on June 16, 1992 at 9:00 a.m. at the Rhododendron Restaurant at the Breaks Interstate Park, Breaks, Virginia; and this Supplemental Order is being recorded for the purpose of (1) complying with the requirements of § 7.c of the Virginia Gas and Oil Board Regulations, VR 480-05-22.2 by supplementing the Order previously issued by the Board for the subject Docket on October 5, 1992 and recorded in Deed Book 399, Page 777 in the Office of the Clerk of the Circuit Court, Buchanan County, Virginia on October 8, 1992. The Board Order pooled all interests in Subject Drilling Unit including those of the Respondents more particularly set forth and identified by the Designated Operator in the affidavits attached hereto and made a part hereof. The Board finds it has jurisdiction over the subject matter pursuant to the provisions of the Virginia Gas and Oil Act, § 45.1-361.1 et seq., Virginia Code, 1950 as amended.

2. Findings: The Board finds that:

(a) The Board Order directed Oxy USA, Inc. (herein the "Designated Operator"), to mail copies of the Board Order to all Respondents whose interests, if any, were pooled by said Board Order;

(b) The Designated Operator filed its affidavit of mailing dated April 28, 1993 disclosing that it had mailed a true and correct copy of the Board's Order to all Respondents whose interests, if any, were pooled by said Board Order;

(c) The Board Order required each Respondent whose interests, if any, were pooled by the terms of said Board Order to make his or her election within thirty (30) days after the date of mailing or recording, as applicable, of said Order; the Designated Operator has filed its affidavit dated May 4, 1993 in accordance with 7.c of the Virginia Gas and Oil Board Regulations and VR 480-05-22.2 (herein "Affidavit of Election"), wherein it has, for each Respondent whose interests, if any, were pooled by said Board Order, stated: (i) whether each Respondent has made or failed to make a timely election; (ii) the nature of the election made, if any; (iii) whether, by reason of a failure to elect or to timely elect one or more Respondents are deemed, under the terms of the Board's Order, to have leased

all their rights, title, interests, estates and claims in Subject Drilling Unit to the Designated Operator;

(d) The Board Order further required the Designated Operator, after expiration of the election period, to file with the Board a statement of the interests subject to escrow under the terms and provisions of the Board Order, in light of the elections made or deemed to have been made (herein "Statement of Interests"); that the Designated Operator furnished said Statement of Interest as part of its Affidavit of Election. A copy of which is attached.

(e) Current Board standards requiring the escrow of funds and the Board's agreement with its Escrow Agent, Tazewell National Bank, P. O. Box 909, Tazewell, Virginia 24651, or any successor named by the Board, require the entry of a Supplemental Order establishing of record the elections made or deemed to have been made and specifying the sums or percentage thereof subject to escrow.

3. Order: By this Order, the Board orders the Designated Operator to tender, consistent with and in accordance with the findings set forth at paragraph 2. above and the annexed Affidavits, any funds subject to escrow and instructs the Escrow Agent, Tazewell National Bank, P. O. Box 909, Tazewell, Virginia 24651, or any successor named by the Board to establish interest-bearing escrow account(s), IRS Tax Identification Number 54-1629506, in accordance with the information set forth in said Affidavits to receive such funds and account to the Board therefore.

4. Mailing of Order and Filing of Affidavit: The Designated Operator under the captioned order or its Attorney shall file an affidavit with the Secretary of the Board within ten (10) days after the date of receipt of this Order stating that a true and correct copy of this Order was mailed within seven (7) days from the date of receipt of this Order to each person whose interest or claim is subject to escrow and whose address is known.

5. Conclusion: Therefore, the findings and all terms and provisions set forth above be and hereby are granted and IT IS SO ORDERED.

6. Effective Date: This Order shall be effective on the date of its execution.

DONE AND EXECUTED this 20th day of October 1993, by a majority of the Virginia Gas and Oil Board.


Chairman, Benny R. Wampler

STATE OF VIRGINIA)
COUNTY OF WISE)

Acknowledged on this 20th day of October, 1993, personally before me a notary public in and for the Commonwealth of

Virginia, appeared Benny Wampler, being duly sworn did depose and say that he is Chairman of the Virginia Gas and Oil Board, that he executed the same and was authorized to do so.



Susan G. Garrett
Notary Public

My commission expires 7/31/94

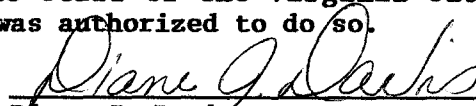
DONE AND PERFORMED this 20th day of October 1993 by Order of this Board.



Byron Thomas Fulmer
Principal Executive to the Staff
Virginia Gas and Oil Board

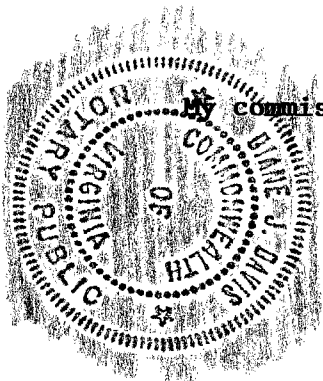
STATE OF VIRGINIA
COUNTY OF WASHINGTON

Acknowledged on this 20th day of October, 1993, personally before me a notary public in and for the Commonwealth of Virginia, appeared Byron Thomas Fulmer, being duly sworn did depose and say that he is Principal Executive to the staff of the Virginia Gas and Oil Board, that he executed the same and was authorized to do so.



Diane J. Davis
Notary Public

My commission expires 9/30/97



VIRGINIA:

Exhibit A

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

Application of Buchanan Production Company for Forced Pooling of Interests in Unit Number SGU-VP6,
VGOB Docket No. 92-0721-0244 in the Hurricane/Garden District of Buchanan County,
Virginia

AFFIDAVIT OF OXY USA Inc. (herein "Designated Operator") REGARDING ELECTIONS, ESCROW
AND SUPPLEMENTAL ORDER

Samuel E. Gordin (herein Affiant), being first duly sworn on oath, deposes and says:

1. That your Affiant is employed by OXY USA Inc., the Designated Operator, at its office located at 1600 Front Street, Suite 200, P.O. Drawer Q, Richlands, Virginia 24641, that your Affiant is the Designated Operator's Regulatory Affairs Coordinator, and is authorized for give this Affidavit in its behalf;
2. That the Order entered on October 5, 1992, by the Virginia Gas and Oil Board regarding the captioned (CBM or conventional) Unit required the Applicant to mail a true and correct copy of said Order to each person pooled by said Order;
3. That within seven (7) days of the receipt of an executed copy of the Order referred to at Paragraph 2. above, your Affiant caused a true and correct copy of said Order to be mailed via the United States Postal Service to each Respondent named in the captioned Application, whose address was known, and to all persons, if any, who were added as Respondents at the hearing held in the captioned matter; that annexed hereto and incorporated herein are copies of the letters of transmittal, receipts for certified mail, and return receipts pertaining to said mailing;
4. That the Order of the Virginia Gas and Oil Board in the captioned matter required all persons pooled thereby to tender their written elections to the Unit Operator within thirty (30) days of the date said Order was recorded in the county above named; that said Order was recorded on October 8, 1992.
5. That the Designated Operator, OXY USA Inc., has established procedures to review all mail received and all written documents received by means other than by mail to ascertain whether parties whose interests have been pooled have made a written election, in a timely fashion, as required by the captioned Order; that said procedures were followed to identify the elections, if any, made with regard to Subject Unit; that the following persons delivered, by mail or otherwise, written elections to the Unit Operator, within the thirty day election period:

None.
6. That the interests and/or claims of the following persons (who made timely elections, or who are deemed under the terms of the Board's Order to have leased, or who, subsequent to the pooling hearing held in the captioned matter, have leased or otherwise entered into an agreement with the Designated Operator) are subject to escrow under the Board's Order pooling the captioned Unit, Board Regulations and the Code of Virginia;

Tract No. 1C

Raymond Guy Boyd & Barbara Boyd
c/o Buchanan Co. Administrator
P.O. Box 950
Grundy, VA 24614

Leased

Russell V. Presley & Joann Presley
P.O. Box 36
Oakwood, VA 24631

1/8 X 0.1859/1069.85 = 0.00217 %

Emma J. Presley
303 W. Lytle Rd.
Springboro, OH 45066

1/8 X 0.1859/1069.85 = 0.00217 %

Marshall Presley & Geneva Presley
1215 W. Collins Street
Flatwoods, KY 41139

1/8 X 0.1859/1069.85 = 0.00217 %

Corbet Presley & Ellen Presley
5820 Decker Rd.
Franklin, OH 45005

1/8 X 0.3718/1069.85 = 0.07933 %

Stella Hurt & Clovis Hurt
503 County Club Dr.
Ashland, KY 41101

1/8 X 0.1859/1069.85 = 0.00217 %

Missouri Turner, widow
1238 Eastview Dr.
Mansfield, OH 44905

1/8 X 0.1859/1069.85 = 0.00217 %

Venia L. Boyd
Rt. 1, Box 118A
Vansant, VA 24656

1/8 X 0.3718/1069.85 = 0.00433 %

Myrtle L. Presley, widow
5551 Durwood Rd.
Dayton, OH 45429

1/8 X 0.9296/1069.85 = 0.01085 %

Cora Presley, widow
P.O. Box 75
Oakwood, VA 24631

1/8 X 1.8593/1069.85 = 0.02171 %

Louise McClanahan & Burke McClanahan
P.O. Box 144
Oakwood, VA 24631

1/8 X 0.2324/1069.85 = 0.00271 %

Masel Presley, single
P.O. Box 75
Oakwood, VA 24631

1/8 X 0.2324/1069.85 = 0.00271 %

Pauline P. Davis & Gilbert Davis Rt. 1, Box 243H Rileyville, VA 22650-9801	$1/8 \times 0.2324/1069.85 = 0.00271 \%$
Charline McClary and James McClary 910 Flood Road Ft. Pierce, FL 33482	$1/8 \times 0.2324/1069.85 = 0.00271 \%$
Henry Presley & Nellie Presley 6631 Tunlaw Ct. Alexandria, VA 22312	$1/8 \times 0.2324/1069.85 = 0.00271 \%$
Maxine Presley Mark & Bill Mark 43178 N. Hunt Club Rd. Antioch, IL 60002	$1/8 \times 0.2324/1069.85 = 0.00271 \%$
Sue Presley 704 Highland Avenue Falls Church, VA 22046	$1/8 \times 0.2324/1069.85 = 0.00271 \%$
Harry L. Presley Rt. 1, Box 209 Vansant, VA 24656	$1/8 \times 13.4448/1069.85 = 0.15708 \%$
Woodrow Presley Rt. 1, Box 209 Vansant, VA 24656	$1/8 \times 5.2921/1069.85 = 0.06182 \%$
Ralph K. Presley 9223 Brentsville Rd. Manassas, VA 22111	$1/8 \times 0.5721/1069.85 = 0.00667 \%$
Willard Presley Rt. 1, Box 210 Vansant, VA 24656	$1/8 \times 0.5721/1069.85 = 0.00667 \%$
James C. Presley Rt. 1, Box 210 Vansant, VA 24656	$1/8 \times 0.5721/1069.85 = 0.00667 \%$
Pauline Presley Rt. 1, Box 210 Vansant, VA 24656	$1/8 \times 0.5721/1069.85 = 0.00667 \%$
Vergie Breeding, heirs, successor assign or devisees Address Unknown	$1/8 \times 1.8593/1069.85 = 0.02171 \%$
Yvonne Ray, et vir Rt. 1, Box 253 Vansant, VA 24656	$1/8 \times 0.3098/1069.85 = 0.00361 \%$

Louise Allen 176 Meyer Ave. Dayton, OH 45431	$1/8 \times 0.3098/1069.85 = 0.00361\%$
Zane F. Breeding 634 Mears Dr. Miamisburg, OH 45342	$1/8 \times 0.3098/1069.85 = 0.00361\%$
Udell Breeding 1327 Marsha Dr. Miamisburg, OH 45342	$1/8 \times 0.3098/1069.85 = 0.00361\%$
Arthur F. Breeding 813 Wake Forest Rd. Dayton, OH 45431	$1/8 \times 0.3098/1069.85 = 0.00361\%$
Novelda E. Kahlua P.O. Box 2014 Marco Island, FL 33969	$1/8 \times 0.3098/1069.85 = 0.00361\%$
Wanda Lee Boyd Rt. 1, Box 300-A Vansant, VA 24656	$1/8 \times 0.6198/1069.85 = 0.00723\%$
Tivis Boyd, Jr. Box 62 Davenport, VA 24239	$1/8 \times 0.6198/1069.85 = 0.00723\%$
Eunice Jackson, Heirs, devisees, successors or assigns Address Unknown	$1/8 \times 1.8593/1069.85 = 0.02171\%$
Fontelle Presley and Burl Address Unknown	$1/8 \times 0.9296/1069.85 = 0.01085\%$
Gertie Rasnake Heirs, devisees successors or assigns Address Unknown	$1/8 \times 1.8593/1069.85 = 0.02171\%$
Fred Presley Address Unknown	$1/8 \times 0.9296/1069.85 = 0.01085\%$
Doris Abshire Address Unknown	$1/8 \times 0.9296/1069.85 = 0.01085\%$
James R. Williamson c/o Sites & Harkison 600 West Main Street Louisville, KY 40202	$1/8 \times 0.0929/1069.85 = 0.00108\%$
Barbara W. Banks 21 Regents Park Lane Frankfort, KY 40206	$1/8 \times 0.0929/1069.85 = 0.00108\%$

Commons Presley, his heirs, devisees
successors or assigns

$1/8 \times 37.76/1069.85 = 0.44125\%$

Tract No. 3

Garden Realy Corp.
c/o Betty B. King
2370 Lyndhurst
Winston-Salem, NC 27103

Leased

Pocahontas Gas Partnership
P.O. Box 200
Mavisdale, VA 24627

Farmed In

Tract 5

Eura G. Hale and Neatom B. Hale
P.O. Box 251
Oakwood, VA 24631

$1/8 \times 0.3440/1069.85 = 0.00402\%$

Edward Keen and Beulah Keen
Star Rt. Box 57
Rowe, VA 24646

$1/8 \times 1.0322/1069.85 = 0.01210\%$

Beulah Keen and Edward Keen
Star Rt., Box 57
Rowe, VA 24646

$1/8 \times 0.1223/1069.85 = 0.00142\%$

Clarence J. Street & Hazel A. Street
Star Route
Rowe, VA 24646

$1/8 \times 0.1223/1069.85 = 0.00142\%$

Eunice I. Rasnake, widow
P.O. Box 150
Rowe, VA 24646

$1/8 \times 0.1223/1069.85 = 0.00142\%$

Okia A. Eaton & James H. Eaton
P.O. Box 465
Honaker, VA 24260

$1/8 \times 0.1223/1069.85 = 0.00142\%$

Betty S. Woodward & Donald Woodard
P.O. Box 734
Oakwood, VA 24631

$1/8 \times 0.1223/1069.85 = 0.00142\%$

Bonnie L. Davis & James Davis
P.O. Box 155
Rowe, VA 24646

$1/8 \times 0.0255/1069.85 = 0.00030\%$

Brenda G. Davis & Hurley Davis
Rt. 1, Box 45D
Raven, VA 24639

$1/8 \times 0.0255/1069.85 = 0.00030\%$

Rondal H. Street Star Rt., Box 44 Rowe, VA 24646	$1/8 \times 0.0255/1069.85 = 0.00030\%$
Tolly R. Street, single 6716 Queens Road Alexandria, VA 22306	$1/8 \times 0.6881/1069.85 = 0.00806\%$
Ellen M. Byrd & Arlin Byrd Rt. 1, Box 6A Bandy, VA 24602	$1/8 \times 0.6881/1069.85 = 0.00806\%$
Marie Boyd & Rawligh Byrd Rt. 1, Box 339-D Cedar Bluff, VA 24609	$1/8 \times 0.6881/1069.85 = 0.00806\%$
Betty L. Mooney & husband, if married 10917 Oakdale Avenue Port Richey, FL 34668	$1/8 \times 0.6881/1069.85 = 0.00806\%$
Mary M. Calhoun, widow Box 163 White Sulphur Springs, WV 24986	$1/8 \times 0.6881/1069.85 = 0.00806\%$
Agnes G. Cooper, widow H. C. 67, Box 102 Pilgrim Knob, VA 24634	$1/8 \times 0.6881/1069.85 = 0.00806\%$
Vida E. Street, widow P.O. Box 150 Whitewood, VA 24657	$1/8 \times 0.6881/1069.85 = 0.00806\%$
Tract No. 6	
Carl Gus Jackson and wife Mary Katherine Jackson Rt. 2, Box 613 Honaker, VA 24260	$1/8 \times 0.0001969/1069.85 = 0.000001\%$
Peggy P. Starnes and husband Dallas Starnes 1310 Melrose Dr. Mansfield, OH 44901	$1/8 \times 0.0001969/1069.85 = 0.000001\%$
Jennings Ralph Jackson and wife Judith Ann Jackson 3255 Bluemont Rd. Memphis, TN 38134	$1/8 \times 0.0001969/1069.85 = 0.000001\%$
Patricia Muncy Weitner and husband Mark Weitner 1654 Wild Pine Way Herndon, VA 22070	$1/8 \times 0.0009215/1069.85 = 0.00001\%$

Denise Hale and husband Max Hale Route 2, Box 104 Grundy, VA 24614	$1/8 \times 0.0009215/1069.85 = 0.00001\%$
Minor Muncy III and wife Peggy Muncy 2016 Shade Hunter Lane Maiden, VA 23102	$1/8 \times 0.0009215/1069.85 = 0.00001\%$
Harold E. Jackson and wife Darlene Lester Jackson P.O. Box 128 Rowe, VA 24646	$1/8 \times 0.0036868/1069.85 = 0.00004\%$
Gary Leon Jackson and wife Darlene K. Jackson Paintlick, VA 24609	$1/8 \times 0.0036868/1069.85 = 0.00004\%$
Ronald W. Jackson and wife Sally Kay Jackson P.O. Box 1227 Honaker, VA 24260	$1/8 \times 0.0036868/1069.85 = 0.00004\%$
Martha Elaine Boyd May and husband Walter O. May P.O. Box 35 Freeburn, KY 41528	$1/8 \times 0.0024578/1609.85 = 0.00003\%$
Peggy Street Bailey and husband Dennie Bailey Box 126 Rowe, VA 24646	$1/8 \times 0.162222/1069.85 = 0.00190\%$
Myrtle Boyd (divorced) P.O. Box 522 Waldo, FL 32694	$1/8 \times 0.0024578/1069.85 = 0.00003\%$
Marie Boyd Charles and husband Glen Charles P.O. Box 440 Vansant, VA 24656	Leased
Janice Street Keen 123 Henderson Street Richlands, VA 24641	$1/8 \times 0.2433333/1069.85 = 0.00285\%$
James Lynn Davis and wife Bonnie Davis P.O. Box 44 Rowe, VA 24646	$1/8 \times 0.4573823/1069.85 = 0.00536\%$

James Lynn Davis P.O. Box 44 Rowe, VA 24656	$1/8 \times 0.0405555/1069.85 = 0.00047\%$
Peggy Street Bailey and husband Dennie Bailey Box 126 Rowe, VA 24646	$1/8 \times 0.4573823/1069.85 = 0.00536\%$
Danny Wayne Bailey - Remainderman Box 126 Rowe, VA 24646	$1/8 \times 0.162222/1069.85 = 0.02027\%$
Gary Wayne Stacy - Remainderman P.O. Box 224 Grundy, VA 24614	$1/8 \times 0.1216665/1069.85 = 0.01521\%$
Anthony Jackson, heirs, devisees successors or assigns Address Unknown	$1/8 \times 0.0663635/1069.85 = 0.00077\%$
Joe Earl Street Address Unknown	$1/8 \times 0.1824999/1069.85 = 0.00213\%$
Sylvia Street Wolfe Address Unknown	$1/8 \times 0.1824999/1069.85 = 0.00213\%$
Bill Dye, his heirs, devisees, successors successors or assigns Address Unknown	$1/8 \times 0.0208571/1069.85 = 0.00024\%$
Joseph Berry Street, his heirs, devisees successors or assigns Address Unknown	$1/8 \times 0.7299999/1069.85 = 0.00855\%$
Vickie Street Boyd, her heirs, devisees successors or assigns Address Unknown	$1/8 \times 0.7299999/1069.85 = 0.00855\%$
Tract No. 7	
Daniel A. Shortridge and Darlis A. Shortridge P.O. Box 117 Rowe, VA 24646	$1/8 \times 76.25/1069.85 = 0.89375\%$
Tract No. 8	
Hensley Street P.O. Box 143 Rowe, VA 24646	$1/8 \times 0.33/1069.85 = 0.00375\%$

Marie Street
P.O. Box 143
Rowe, VA 24646

$1/8 \times 0.33/1069.85 = 0.00375\%$

Tract No. 17

Marshall H. Keen & Joan Keen
Box 172
Oakwood, VA 24631

$1/8 \times 2.0378/1069.85 = 0.02388\%$

Sue Loflin
Rt. 3, Box 290
Abingdon, VA 24210

$1/8 \times 2.0378/1069.85 = 0.02388\%$

Denny Rowe
Rt. 3, Box 291
Abingdon, VA 24210

$1/8 \times 2.0378/1069.85 = 0.02388\%$

Ferrell Rowe
Rt. 3, Box 292
Abingdon, VA 24210

$1/8 \times 2.0378/1069.85 = 0.02388\%$

Melvin H. Rowe
Rt. 3, Box 290
Abingdon, VA 24210

$1/8 \times 2.0378/1069.85 = 0.02388\%$

Mitilda G. Rowe
Rt. 3, Box 290
Abingdon, VA 24210

$1/8 \times 2.0378/1069.85 = 0.02388\%$

Gladys E. Rowe
P.O. Box 29
Rowe, VA 24646

$1/8 \times 76.36/1069.85 = 0.89500\%$

7. That after the pooling hearing held in the captioned matter, the following persons have leased or entered into a voluntary agreement with the Designated Operator with regard to their interests and/or claims which are not subject to escrow and should, therefore, be dismissed as Respondents:

Raymond Guy Boyd & Barbara Boyd, Marie Boyd Charles and Glen Charles
Garden Realty Corporation and Pocahontas Gas Partnership
8. That pursuant to the provisions of VR 480-05-22.27.C and VR 480-05-22.2.8, annexed hereto and incorporated herein is a proposed supplemental order to be entered to complete the record regarding elections; that said annexed supplemental order sets forth and identifies the conflicting claims and/or interests which require escrow of funds pursuant to the terms of §§ 45.1-361.21.D, 45.1-361.22.A.3 and 4.;

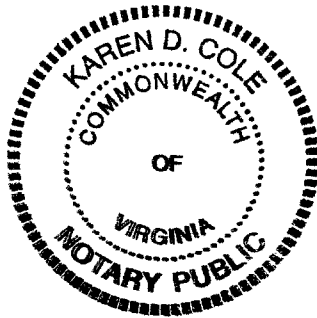
Dated at Richlands, Virginia, this 28 day of April, 1993.

Samuel E. Gordin
Affiant

Taken, subscribed and sworn to before me by Samuel E. Gordin, the Regulatory Affairs Coordinator, of OXY USA Inc., a corporation, on behalf of the corporation, this 28 day of April 1993.

My commission expires: January 31, 1997

Karen D. Cole
Notary



VIRGINIA. In the Clerk's Office of the Circuit Court of Buchanan County. The foregoing instrument was this day presented in the office aforesaid and is, together with the certificate of acknowledgment annexed, admitted to record this 29th day of October, 19 93 11:14 M.
Deed Book No. 415 and Page No. 303

TESTE: JAMES M. BEVINS, JR. Clerk

By: Patricia L. Inel, Deputy Clerk